

**REMARKS**

Claims 7, 9, 12-24, 34-35, and 37-39 were pending when last examined. With this Response, Applicants have canceled claims 7, 9, 12-24, 34-35, and 37-39, and added new claims 40-53. All pending claims are shown in the detailed listing above.

**Claim Rejections – 35 USC § 103**

Claims 7, 9, 12-24, 34-35 and 37-39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler (USPN 5,758,259), in view of Graves et al. (USPN 5,410,344). Claims 7, 9, 12-24 and 34-35 have been canceled without prejudice to later filing of continuation applications for the subject matter of the canceled claims.

**New Claims**

New claims 40-53 have been added. No new matter has been introduced. Support for the new claims can be found at least in FIGS. 2 and 3 and in the corresponding description of the specification.

Claim 40 recites a method that includes, in part, defining a hierarchy of preference objects for describing user preferences related to multimedia content, and generating a user profile that specifies the hierarchy of preference objects, a plurality of description elements associated with a first preference object in the hierarchy, and a single preference value characterizing user preference for the combination of the plurality of description elements associated with the first preference object in the hierarchy.

Neither Lawler nor Graves discloses a user profile that specifies a single preference value characterizing user preference for the combination of the multiple description elements associated with a first preference object in a hierarchy, as required by the claim.

Lawler discloses a viewer preference table providing a list of items. Each item in the table assigns a count number to a “Value” that identifies a corresponding favorite Name, Genre, Subgenre, or Team. *Lawler’s TABLE 2 in col. 8*. Lawler also discloses a partial sum that is determined from those counts that are assigned in the viewer preference table to specific “Values” characterizing a particular program. *Lawler from col. 8:56 to col. 9: 27*. Thus, Lawler’s partial sum is associated with the particular program. In contrast, the claim requires a single preference value characterizing user preference for the combination of the multiple description elements associated with a first preference object in a hierarchy.

Graves is also lacking. Although Graves discloses an “Overall Feature Rating” associated with a single program (*Graves FIG. 5 and corresponding description*), it fails to disclose a single preference value characterizing user preference for the combination of the multiple description elements associated with a first preference object in a hierarchy.

Because both Lawler and Graves fail to disclose at least a single preference value characterizing user preference for the combination of the multiple description elements associated with a first preference object in a hierarchy, claim 40 should be allowed. Claim 47 recites limitations similar to those of claim 40, and should be allowed for at least the same reasons. Claims 41-46 and 48-53 depend from claims 40 and 47, respectively, and should be allowed for at least the same reasons as they respective base claims.

**CONCLUSION**

Applicants respectfully request that the pending claims be allowed and the case passed to issue. Should the Examiner wish to discuss the Application, it is requested that the Examiner contact the undersigned at (415) 772-7493.

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7/28/05

Date

Richard A. Pazmandi

Signature

Respectfully submitted,

By:

Ferenc Pazmandi  
Agent of Record  
Limited Recognition No. L0078  
FP/rp

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SIDLEY AUSTIN BROWN & WOOD LLP  
555 California Street, Suite 2000  
San Francisco, CA 94104-1715  
(415) 772-7200